IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7524 OF 2005

M/s Bata India Limited .. Petitioner

versus

Mr.Kulwantsingh Prahladsingh Kohli.Respondent

Mr.Raj Baid for Petitioner (absent)

Mr.B.S.Mehta for Respondent

**CORAM : D.G.KARNIK, J**

**DATED : 17th February, 2006**

P.C.

1. None present for the petitioner when called.

2. I have perused the petition and judgments of the trial Court as well as the appellate Court with the help of the learned counsel for the respondent. The respondent is the owner of the premises and the petitioner is the tenant. The paid-up-capital of the petitioner is more than Rs.One crore and hence, provisions of the Maharashtra Rent Control Act are not applicable to it. The tenancy of the petitioner was properly terminated by a notice dated 24th October, 2001

and a suit for possession was filed. A decree has been passed by the trial Court as well as by the appellate Court. Both the Courts have held that the petitioner has no protection of the Maharashtra Rent Control Act, 1939 by reason of section 3 (1) (b) of the said Act.

3. I see no error in the said finding. Writ Petition is rejected.

**(D.G. KARNIK, J)**